

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

JEFF SPROUL,

Plaintiff,

-against-

9:05-CV-0075  
(LEK/DEP)

GLENN S. GOORD, *et al.*,

Defendants.

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**DECISION AND ORDER**

This matter comes before the Court following a Report-Recommendation filed on August 13, 2007, by the Honorable David E. Peebles, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 56).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Peebles's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Additionally, the copy of the Report-Recommendation issued by Judge Peebles mailed to Plaintiff was returned to the Clerk of the Court on August 20, 2007 as undeliverable. See Dkt. No. 57. The Clerk has no forwarding address for Plaintiff, who has failed to notify the Court of his change of address as he is required to do under L.R. 10.1(b) of the Northern District of New York. Thus, in accordance with the Local Rules and the reasoning contained in Judge Peebles's Report-

Recommendation, this action is dismissed.

Accordingly, it is hereby

**ORDERED**, that the Report-Recommendation (Dkt. No. 56) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

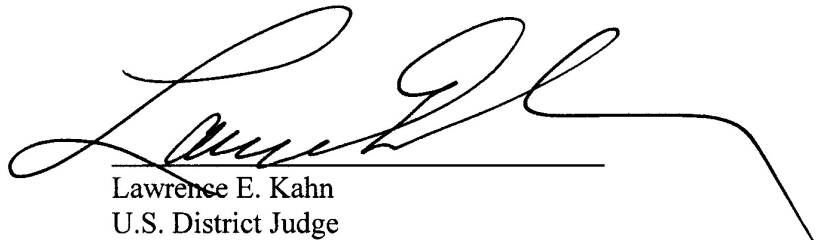
**ORDERED**, that Defendants' Motion for summary judgment (Dkt. No. 52) is **GRANTED**; and it is further

**ORDERED**, that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED IN ITS ENTIRETY**, **WITH PREJUDICE** with regard to Defendants Goord, Woods, and Bouchey, and **WITHOUT PREJUDICE** with regard to Defendant Cagne; and it is further

**ORDERED**, that the Clerk serve a copy of this Order on all parties.

**IT IS SO ORDERED.**

DATED: September 05, 2007  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge